



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

VIA ECF

Hon. Philip M. Halpern
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Application granted. The conference is adjourned to 11/18/2021 at 12:00 p.m. The parties shall use the same dial-in instructions as previously provided.

SO ORDERED.

Philip M. Halpern
United States District Judge

Dated: White Plains, New York
October 12, 2021

DIVISION OF STATE COUNSEL
BUREAU

Re: **Johnson v. McMorrow, et al., 19-cv-6480 (PMH)(AEK)**

Dear Judge Halpern:

This Office represents Defendants Trooper Andrew McMorrow and Trooper Marisa Rodriguez ("Defendants") in the above-referenced action. We write respectfully seeking an adjournment of the Case Management Conference re-scheduled for October 18, 2021 at 10:00 a.m. *See* Docket Nos. 77, 78

The reasons we seek the adjournment is two-fold. One, the undersigned was previously scheduled to appear before Magistrate Judge McCarthy in the matter of *Jerry Adams v. Annucci*, 17 Civ 3794 on October 18, 2021 at 10:00 a.m. *See* Docket No. 102. The second reason for the adjournment is that our Office is in the process of preparing both a pre-motion letter and proposed 56.1 statement required by the Court for purposes of seeking permission to move for summary judgment. The additional time is needed in order to finalize the 56.1 statement, provide it to Plaintiff's counsel, and allow for them to respond to the same prior to filing our application.

We have conferred with Plaintiff's counsel with respect to this request and he has advised that while his office is ready to proceed with trial and does not believe this case is ripe for summary judgment, he holds no position on this request.

Based upon foregoing, we respectfully request a thirty (30) day adjournment of the Case Management Conference. This would allow the parties ample time to comply with Rule 2(C) and 4(E) of Your Honor's Individual Rules.

Page 2

We sincerely appreciate the Court's time and thank the Court for the consideration of this application.

Respectfully submitted,

S/ Julie A. Ortiz
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